

**CITY OF STANWOOD
WASHINGTON**

ORDINANCE NO. 1499

AN ORDINANCE OF THE CITY OF STANWOOD, WASHINGTON, AMENDING STANWOOD MUNICIPAL CODE (SMC) TITLE 17 ENTITLED ZONING RELATING TO DEVELOPMENT REGULATIONS AMENDING SECTION 17.20, CONSTRUCTION OF LANGUAGE – DEFINITIONS; AMENDING SECTION 17.30, PERMITTED LAND USES; ADDING NEW SECTION 17.35, VARIANCES, ADDING NEW SECTION 17.40, CONDITIONAL USE PERMITS; AMENDING SECTION 16.60.050, DEVELOPMENT AGREEMENTS; REPLACING AND ADOPTING NEW SECTION 17.80, PERMIT REVIEW PROCEDURES; REPEALING SECTION 17.81A, PROCEDURES; REPEALING SECTION 17.81B, TYPES OF LAND USE REVIEW; AMENDING SECTION 17.95, SUPPLEMENTAL STANDARDS FOR SPECIAL RESIDENTIAL USES; ADDING NEW SECTION 17.154, GRADING; AMENDING SECTION 17.157.140, COMPREHENSIVE PLAN; AMENDING SECTION 17.158, ANNEXATIONS AND ESTABLISHING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, it is necessary and beneficial for the health, safety and welfare of the community to update the zoning regulations to create consistency between the permitted use regulations and the permit processing regulations;

WHEREAS, the Growth Management Act (GMA) requires cities to adopt a fully integrated and consolidated permit processes;

WHEREAS, the intent of the draft regulations is to update the permitted, accessory, conditional and temporary uses by zone and streamline the permitting processes for the community consistent with the goals of the GMA;

WHEREAS, the purpose of these code amendments is to eliminate procedural conflicts, simplify the permit procedures and update the list of permitted, accessory, conditional, and temporary uses consistent with the intent of the zoning districts and state law;

WHEREAS, Stanwood's 2015 – 2035 Comprehensive Plan directly addresses the need to create zoning regulations that implement the city's future development vision and growth;

WHEREAS, pursuant to RCW 36.70A.106, on August 16, 2021 the City notified the State of Washington of its intent to adopt amendments to its development regulations;

WHEREAS, the code amendment was circulated for public review on August 17, 2021. One public comment was received and integrated into the draft amendment;

WHEREAS, the City of Stanwood SEPA Responsible Official has reviewed the proposed amendments to the Stanwood Municipal Code and issued a Determination of Non-Significance on August 17, 2021;

WHEREAS, the Stanwood Planning Commission held a public hearing on the draft ordinance on September 27, 2021 and has recommended that the City Council adopt the ordinance as presented;

WHEREAS, the City Council Community Development Committee reviewed the proposed language and amendments set forth in this Ordinance at their October 14, 2021, meeting;

WHEREAS, the City Council held their first reading of the draft code amendment on October 28, 2021, their second on November 8, 2021 and third and final reading on November 22, 2021 and accepted public comment; and

WHEREAS, the City Council of Stanwood has authority under Title 35A, RCW to adopt plans and regulations related to development and operations within the City of Stanwood; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Definitions. Stanwood Municipal Code, Chapter 17.20, Construction of Language - Definitions is hereby amended With updated definition as they relate to permitted uses and permitted procedures as provided in Exhibit "A" attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 2. Permitted Land Uses. Stanwood Municipal Code, Chapter 17.30, Permitted Land Uses, is amended to read as provided in Exhibit "B" attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 3. Variations. New Stanwood Municipal Code, 17.35, Variations is hereby adopted to read as set forth in Attachment "C", incorporated by reference as though fully set forth herein.

Section 4. Conditional Use Permits. New Stanwood Municipal Code, 17.40, Conditional Use Permits is hereby adopted to read as set forth in Attachment "D", incorporated by reference as though fully set forth herein.

Section 5. Development Agreements. New Stanwood Municipal Code, 17.60.050, Development Agreements is hereby adopted to read as set forth in Attachment “E”, incorporated by reference as though fully set forth herein.

Section 6. Permit Review Procedures. Stanwood Municipal Code, Chapter 17.80, Procedures, is repealed in its entirety and replaced with the new SMC 17.80, Permit Review Procedures as provided in Exhibit “F” attached to this ordinance and incorporated herein by reference as if set forth in full.

Section 7. Permit Procedures. Stanwood Municipal Code, Chapter 17.81A, Procedures, is repealed in its entirety.

Section 8. Types of Land Use Review. Stanwood Municipal Code, Chapter 17.81B, Types of Land Use Review is repealed in its entirety.

Section 9. Supplement Standards for Special Residential Uses. Stanwood Municipal Code, 17.95, Supplement Standards for Special Residential Uses, is hereby amended to read as set forth in Attachment “G”, incorporated by reference as though fully set forth herein.

Section 10. Grading Regulations. New Stanwood Municipal Code, 17.154, Grading Regulations is hereby adopted to read as set forth in Attachment “H”, incorporated by reference as though fully set forth herein.

Section 11. Comprehensive Plan. New Stanwood Municipal Code, 17.157.140 Concurrent Comprehensive Plan amendment and rezone is hereby adopted to read as set forth in Attachment “I”, incorporated by reference as though fully set forth herein.

Section 12. Annexations. Stanwood Municipal Code, 17.158, Annexations, is hereby amended to read as set forth in Attachment “J”, incorporated by reference as though fully set forth herein.

Section 13. Findings of Fact and Conclusions. In support of the code provisions provided in this Ordinance the Stanwood City Council adopts the Findings of Fact and Conclusions attached hereto as Exhibit “K” and incorporated herein by reference and the analysis contained in the Staff Report on the amendments.

Section 14. Severability. The various parts, sections and clauses of this ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 15. Authority to Make Necessary Corrections. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbers, section/subsection numbers and any references thereto.

Section 16. Effective Date. This Ordinance shall take effect five days after its passage and publication as required by law.

PASSED AND APPROVED by the Stanwood City Council this 22nd day of November 2021.

CITY OF STANWOOD

Sid Roberts

Sid Roberts, Mayor

ATTEST:

By: David Hammond
David Hammond, City Clerk

APPROVED AS TO FORM:

By: Brett Vinson
Brett Vinson, City Attorney

Date of Publication: _____

Effective Date: _____

Signature: Brett Vinson
Brett Vinson (Nov 23, 2021 23:57 EST)

Email: brettv@snohomishlaw.com

Signature: Sid Roberts
Sid Roberts (Nov 24, 2021 06:54 PST)

Email: sid.roberts@ci.stanwood.wa.us


Ordinance 1499 Permit Procedures-Permitted Use Matrix


Final Audit Report


2021-11-24


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Status:	Signed
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2021-11-24 - 2:54:14 PM GMT